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BY ECF & EMAIL (Andrei Vrabie@nysd.uscourts.gov)

Honorable Robert W. Sweet
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Schoolcraft v. The City of New York, et al.*, 10-CV-6005 (RWS)

Your Honor:

As counsel for the City Defendants in the above-referenced matter, we write to briefly respond to plaintiff's August 18th letter in further support of his motion for an extension of the JPTO deadline. The City Defendants decline to respond to the various misstatements of fact in plaintiff's letter and write only to highlight that plaintiff now seeks additional relief, namely an extension of the JPTO deadline to August 24th instead of August 21st, the date he initially requested. Plaintiff's attempt to again move the goal post for the JPTO deadline, without explanation, prejudices defendants and further evidences his disregard for procedural regularity, lack of readiness for trial, and unwillingness to diligently prosecute his own case. Further, as previously stated by the City Defendants in the August 17th letter opposing the extension, the City defendants' lead counsel will be on previously scheduled vacations after August 21st, and therefore will be unable to participate in submission of a JPTO on August 24th. Accordingly, for the foregoing reasons, as well as those set forth in defendants' August 17th submission, plaintiff's application should respectfully be denied. We thank the Court for its consideration of this matter.

Respectfully submitted,

/s/Alan Scheiner
Alan Scheiner
Cheryl Shammass
Senior Counsel

Cc.: All parties (*via* email and ECF)